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WRAP Communication Framework for Regional Haze Planning

Adopted [DATE]

WRAP Regional Haze Planning Work Group - Consultation & Coordination Subcommittee

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# Overview

This document was prepared by the Consultation and Coordination Subcommittee (C&C Subcommittee) of the Western Regional Air Partnership (WRAP) Regional Haze Planning Work Group. The purpose of this document is to provide a general framework for efficient and effective coordination among western states and federal agencies and tribes throughout the Regional Haze planning process. Successful development of a Regional Haze State Implementation Plan (SIP) requires that responsible agencies effectively communicate and consult with a variety of stakeholders on a defined timeline with varying degrees of formality. The Regional Haze Rule requires a certain level of communication among parties, however, western states and their federal partners agree that additional, informal communication may be necessary to achieve good results in a timely manner.

This document lays out a basic strategy to help states navigate through the requirements, policies, and recommendations associated with consultation and coordination. This framework focuses on a collaborative process and is intended to provide guidance. As such, this framework for informal communication is entirely non-binding, but agency representatives may agree formally to follow the strategy contained herein. This document is structured to provide an overview of the background of communication related to Regional Haze and the associated requirements, then delve into recommendations for an informal collaborative process that can be implemented by western states.

# Background

According to the Regional Haze Rule, each state must submit a SIP to the U.S. Environmental Protection Agency (EPA) by July 2021.[[1]](#footnote-1) The shared goal of these SIPs is to protect and improve visibility in 156 federally designated national parks and wilderness areas (i.e., Class I Areas) in the United States with the long-term goal of attaining natural visibility conditions in each Class I Area by 2064. These SIPs are the second round of plans to be submitted under the Regional Haze Rule and, as such, they address continued progress toward that goal during a 10-year planning period (2018-2028).

## Regional Haze Planning in the West

In the western United States, 15 states, including Alaska and Hawaii, contain 118 Class I national parks and wilderness areas – about 75% of all Class I Areas that are included in the Regional Haze Rule. These states must submit SIPs to four separate EPA regional offices (Regions 6, 8, 9 and 10). A major challenge for the state and federal agencies involved in this process is to ensure that separate Regional Haze SIPs result in a comprehensive regional strategy that will improve visibility at each of the Class I Areas across the West.

Clearly, a significant effort is necessary to manage this complex process. Appropriate and timely communication across the West is essential to ensure states and agencies move forward in coordination with one another.

Due to the regional nature and complexity of the plans, which address long-range transport and cumulative impacts of air pollution, close collaboration among state and federal agencies is essential. To support this inter-agency effort, EPA established five Regional Planning Organizations (RPOs) across the U.S. to assist states in conducting the technical and policy analyses to provide a common basis for the individual SIPs. In the West, this organization is the Western Regional Air Partnership (WRAP). The WRAP is a voluntary partnership of states, tribes, local air agencies, federal land managers, and EPA. As with the other four RPOs, the WRAP is co-chaired by state and tribal representatives, and facilitates a stakeholder process to ensure a consensus building approach in environmental decision making.

In April 2018, the WRAP Board unanimously adopted a document titled, “Regional Haze Principles of Engagement,” which lays out a number of guiding principles that frame the western Regional Haze planning effort and the WRAP’s role in the process. The principles of engagement are pertinent to this framework because they are the outcome of ongoing regional collaboration that has laid the groundwork for this specific Regional Haze process. For example, the WRAP agreed that the process “requires that states, tribes, federal agencies and local governments (as appropriate) must participate significantly in the entire planning process to ensure that there are no surprises at SIP or TIP submittal. This engagement effort is well beyond what is required of states and tribes by the Regional Haze Rule.” [[2]](#footnote-2) The principles also cover topics including the flexibility of states and tribes to craft plans that address their unique needs, the responsibility of federal agencies to provide support, opportunities presented through engagement with tribes, and the necessity to engage with the public and regulated entities. For more information on the WRAP refer to [www.wrapair2.org](http://www.wrapair2.org).

During the Regional Haze SIP development process, some topics may require more communication between states and agencies than others. One example is that some Class I Areas span the borders between states and will require an additional level of coordination. Another example is the additional consultation that may be needed if upwind emissions in one state are determined to impact visibility at a downwind Class I Area in another state. This framework is intended to provide guidance as states and agencies across the West work through these challenges over the next several years.

## Key Parties involved in Regional Haze Planning

As previously stated, a wide variety of parties are involved in the process of developing a Regional Haze SIP. For example, prior to public review and EPA action, states are required to consult with Federal Land Managers (FLMs) and neighboring states to ensure the individual state plans collectively achieve reasonable progress goals for each Class I Area. While WRAP is the designated forum for collaboration in the West, states and FLMs may need to establish their own process to ensure FLMs are able to conduct an effective, efficient and timely review of all SIPs. This process may include collaboration during development of key SIP elements. In terms of consistency, Alaska and Hawaii may adopt different approaches to developing their plans, given their geographic location relative to other western states and the separate basis of their inventories and modeling.

The primary federal agencies responsible for overseeing the states’ Regional Haze plans are the EPA and FLMs. The federal land management agencies with jurisdiction over mandatory Class I federal areas in the West include the National Park Service (NPS), Department of Agriculture Forest Service (USFS), and the Fish and Wildlife Service (FWS). The Bureau of Land Management (BLM) also manages federal lands in western states. FLMs have a critical role in protecting air quality in national parks, wilderness and other federally protected areas. In fact, FLMs have an affirmative responsibility to protect air quality related values, including visibility, in all Class I areas (40 CFR Section 51.166(p)(2)).

EPA is the agency responsible for acting on the SIPs by approving or disapproving the plans. This determination is based on whether the plans meet the Regional Haze rule requirements and provide for an effective regional program. EPA regional offices must review the adequacy of SIPs in a public rulemaking process, and consider all comments in determining if a plan meets applicable requirements. EPA national offices also review the plans, primarily for national consistency and legal precedent.

Tribal governments are responsible for coordinating with federal and state governments to protect air quality on their sovereign lands, and to ensure their sources meet federal requirements. While western tribes do not have mandatory Class I Areas, some have elected to have their tribal lands redesignated as non-federal Class I Areas, including: Assiniboine and Sioux Tribes (Fort Peck Reservation, MT), Confederated Salish & Kootenai Tribes (Flathead Reservation, MT), Northern Cheyenne Tribe (MT), Spokane Tribe of Indians (WA), and Yavapai-Apache Nation (AZ). Tribes are not required, but have the option, to submit Tribal Implementation Plans (TIPs) for Regional Haze, in some cases, sources affecting visibility are located on tribal lands and sometimes emissions from other sources may impact tribal air quality. In cases where a source, or group of area sources, on tribal lands is subject to control to reduce impacts on visibility, a Tribal Nation, under the Tribal Authority Rule, may submit a plan for that source. In cases where a tribe chooses not to submit a plan, the federal government may produce a Federal Implementation Plan for that source as necessary and appropriate. While this document focuses on state and federal interaction, EPA encourages tribes to participate in the regional planning organizations, and engage directly with EPA, FLMs, and states to protect their interests.

In addition to the parties discussed above, states should also ensure they communicate regularly with regulated industry, including the sources that may be impacted by a Regional Haze control plan, as well as members of the public. Individual states should take responsibility for this communication, but the WRAP will provide guidance for states seeking to incorporate Regional Haze into their stakeholder outreach and engagement.

# Consultation Requirements

While collaboration on the SIPs occurs frequently across many agencies and organizational lines, the Regional Haze Rule requires consultation in three key areas highlighted below. These areas are coordinating long-term emission management strategies, setting reasonable progress goals (RPGs), and ensuring FLMs have an opportunity to review and comment on state planning. Through these requirements, EPA ensures that all parties with a duty to protect a Class I Area share the responsibility for that area in a state’s plan. The objective is a SIP that is based on an integrated and holistic effort to improve visibility, and that is supported by the FLMs. The regulatory text of the Regional Haze Rule consultation requirements is included below:

**40 CFR 51.308(f)(2)(ii) Long-term strategy for regional haze**

“The State must consult with those States that have emissions that are reasonably anticipated to contribute to visibility impairment in the mandatory Class I Federal area to develop coordinated emission management strategies containing the emission reductions necessary to make reasonable progress.

(A) The State must demonstrate that it has included in its implementation plan all measures agreed to during state-to-state consultations or a regional planning process, or measures that will provide equivalent visibility improvement.

(B) The State must consider the emission reduction measures identified by other States for their sources as being necessary to make reasonable progress in the mandatory Class I Federal area.

(C) In any situation in which a State cannot agree with another State on the emission reduction measures necessary to make reasonable progress in a mandatory Class I Federal area, the State must describe the actions taken to resolve the disagreement. In reviewing the State's implementation plan, the Administrator will take this information into account in determining whether the plan provides for reasonable progress at each mandatory Class I Federal area that is located in the State or that may be affected by emissions from the State. All substantive interstate consultations must be documented.”

**40 CFR 51.308(f)(3)(ii)(B) Reasonable progress goals**

“If a State contains sources which are reasonably anticipated to contribute to visibility impairment in a mandatory Class I Federal area in another State for which a demonstration by the other State is required under (f)(3)(ii)(A), the State must demonstrate that there are no additional emission reduction measures for anthropogenic sources or groups of sources in the State that may reasonably be anticipated to contribute to visibility impairment in the Class I area that would be reasonable to include in its own long-term strategy. The State must provide a robust demonstration, including documenting the criteria used to determine which sources or groups or sources were evaluated and how the four factors required by paragraph (f)(2)(i) were taken into consideration in selecting the measures for inclusion in its long-term strategy.”

**40 CFR 51.308(i) State and Federal Land Manager coordination**

“(2) The State must provide the Federal Land Manager with an opportunity for consultation, in person at a point early enough in the State's policy analyses of its long-term strategy emission reduction obligation so that information and recommendations provided by the Federal Land Manager can meaningfully inform the State's decisions on the long-term strategy. The opportunity for consultation will be deemed to have been early enough if the consultation has taken place at least 120 days prior to holding any public hearing or other public comment opportunity on an implementation plan (or plan revision) for regional haze required by this subpart. The opportunity for consultation on an implementation plan (or plan revision) or on a progress report must be provided no less than 60 days prior to said public hearing or public comment opportunity. This consultation must include the opportunity for the affected Federal Land Managers to discuss their:

(i) Assessment of impairment of visibility in any mandatory Class I Federal area; and

(ii) Recommendations on the development and implementation of strategies to address visibility impairment.

(3) In developing any implementation plan (or plan revision) or progress report, the State must include a description of how it addressed any comments provided by the Federal Land Managers.

(4) The plan (or plan revision) must provide procedures for continuing consultation between the State and Federal Land Manager on the implementation of the visibility protection program required by this subpart, including development and review of implementation plan revisions and progress reports, and on the implementation of other programs having the potential to contribute to impairment of visibility in mandatory Class I Federal areas.”

# Collaboration Process

The WRAP recommends varying levels of informal communication throughout the SIP planning process to ensure all parties are on the same page regarding progress and decision-making. Many of the key agencies involved in Regional Haze planning have representatives that regularly participate in regional discussions through the WRAP’s various work groups and subcommittees. Ongoing regular communication on air quality issues across the region builds working relationships between states, locals, tribes, and federal agencies. These relationships provide an essential foundation on which to build specific collaboration related to Regional Haze. Regular participation in regional conversations, therefore, is a helpful first step as states consider their approach to consultation and coordination on Regional Haze. This document describes activities that go beyond attendance at and participation in regular meetings and calls. While some communication can be accomplished through participation in the WRAP, some responsibility resides with states to take the steps necessary to ensure that the appropriate level of consultation (with the appropriate parties and at the appropriate level of detail) is carried out during SIP development.

This section describes a tiered approach to consultation and coordination that begins with information-sharing led by WRAP work groups and works down into more detailed targeted conversations with key contacts and stakeholders led by individual states, locals, and tribes. While the level of collaboration and involvement may vary by Class I area, the overall approach should occur in an organized framework to ensure a clear and efficient process. The outcome of this process is a general shared understanding of the environmental profile of a given Class I area or areas, and on the plan for making progress on visibility. [Appendix] includes a timeline diagram that roughly maps out key consultation events as they fit within the SIP/TIP planning steps over the next couple years.

## Tiered Approach to Communication

While ongoing conversations amongst participants in the WRAP may help achieve some regional consultation, the obligation to ensure an appropriate level of consultation and coordination ultimately resides with the entities responsible for developing and submitting Regional Haze SIPs. To submit an approvable SIP, state and local agencies must comply with the formal consultation requirements in the Regional Haze Rule. In addition, a certain amount of communication, outreach, and education throughout the planning process may be necessary to ensure the agency is able to appropriately respond to comments and submit the SIP in a timely manner. The tiered approach described in this section outlines the activities that will be led by the WRAP to facilitate communication across the region, as well as the actions the WRAP recommends SIP developers undertake to meet their obligations under the Regional Haze Rule.

### Tier One – Informational Conversation Kick-Off Events

**Purpose**: The purpose of communication at this level is to share information about regional efforts to date on key planning milestones. This information-sharing is intended to kick-off a dialogue between all parties that should be continued at the state level, where more conversation can occur. The information provided at this level should also help inform the stakeholder outreach conducted by states during the planning process.

**What**: Tier One consists of a series of educational webinars meant to inform representatives from all responsible entities, including states and local agencies, tribes, EPA regional offices, and FLMs, on specific Regional Haze planning topics. Participants will receive a list of questions and/or topics to consider in advance of each webinar that will help them prepare for the discussion.

**Who**: The activities in Tier One will be organized by the C&C Subcommittee and led by members of WRAP work groups and/or subcommittees who have been engaged in conversations around specific topics and can talk about the resultant decisions and work products.

**How to be Successful**: SIP developers should distribute information about participating in the webinar to their contacts at other responsible agencies, inviting them to attend the webinar. Participation in these webinars helps ensure that, throughout the planning process, everyone is communicating from a common knowledge base. SIP developers should meet with their internal Regional Haze staff to take time to fully understand the pre-prepared questions as they apply to their particular agency or Class I Areas. This may involve reviewing monitoring data, testing potential source screening thresholds, or analyzing modeling results. Understanding how their agency’s Regional Haze planning may be affected by the different topics will give SIP developers a good background from which to identify potential concerns.

### Tier Two – Follow-up Discussions between Key Contacts

**Purpose**: The purpose of communication at this level is to continue an informal dialogue on topics introduced at the Tier One level, using a smaller group setting to allow for more detail pertaining to specific concerns and Class I Areas.

**What**: Tier Two can be accomplished through follow-up communication with key contacts at responsible agencies. This may take the form of a letter, email, or phone call inviting further engagement on specific topics. Tier Two conversations differ from Tier One in that they provide an opportunity for a more detailed discussion of topics or issues that are specific to a state or area.

**Who**: Tier Two is led by individual states or local agencies responsible for SIP development. A conversation in Tier Two may also be initiated by one of the other key agencies interested in the opportunity to further discuss Tier One topics with the state. The C&C Subcommittee will help facilitate these follow-up conversations by compiling a list of questions and concerns from FLMs, EPA, tribes, and/or other states related to the topics covered in Tier One, and distributing these lists to states as potential conversation-starters.

**How to be Successful**: WRAP recommends that the follow-up communication occur shortly after a Tier One webinar so these conversations can build off of the information shared at that level and take advantage of the common knowledge base. Using the list of questions put together by the C&C Subcommittee will help SIP developers be prepared to discuss possible concerns or problem areas with their key contacts. Ideally, through these conversations, key parties will seek consensus where possible. SIP developers should document their outreach and save copies of communications or meeting agendas to include in their SIP documentation.

### Tier Three – Stakeholder Outreach and Engagement

**Purpose**: The purpose of communication at this level is for states to share information introduced at the Tier One level with local stakeholders and interested parties. This information-sharing should help states keep key parties within the state engaged in the planning process as it moves forward.

**What**: Tier Three is accomplished by incorporating Regional Haze topics into ongoing outreach and engagement efforts. As such, the approach will look different for each state and local agency depending on their own existing stakeholder engagement practices. It could be accomplished through any of the following, but is not limited to this list: sharing information on a Regional Haze webpage, providing regular updates using stakeholder email distribution lists, convening a working group of representatives from potentially affected industries, presenting on Regional Haze planning at regularly scheduled stakeholder meetings, or inviting stakeholders to participate in topic-specific meetings, webinars, or calls.

**Who**: Tier Three is led by individual states or local agencies responsible for SIP development. These agencies may choose to share presentations, posters, or documents that were prepared as part of each Tier One webinar, or may use them as examples for developing their own materials. States and local agencies that develop their own outreach materials are encouraged to share examples so that other agencies may use them. The C&C Subcommittee will publish helpful shared materials on the Subcommittee’s webpage.

**How to be Successful**: At this level, the key is ongoing timely engagement throughout the SIP development process. SIP developers should carefully consider which topics may be of interest to which stakeholders and determine what type of communication will be most helpful to share information, address questions, and/or build understanding. The C&C Subcommittee recommends that each state or local agency responsible for SIP development create a Regional Haze webpage or choose a consistent, easy-to-find location on an existing webpage at which to post Regional Haze information. The Subcommittee also recommends beginning to engage stakeholders early in the planning process and providing regular updates and opportunities for conversation throughout SIP development. Just as in Tier Two, SIP developers should document their outreach and save copies of communications or meeting agendas to include in their SIP documentation.

|  |  |  |  |
| --- | --- | --- | --- |
| Overview of Tiered Approach to Communication | | | |
|  | **Tier One** | **Tier Two** | **Tier Three** |
| **Description of Communication Strategy** | Large-Group conference call and webinar presentation | In-person meeting, conference call, or other form of communication | Communication via listserv, meetings, presentations, website, etc. |
| **Purpose** | Share information about efforts to date on key planning milestones & kick-off a dialogue that can carry over to more specific discussions at the state/local/tribe (S/L/T) level and inform stakeholder outreach | Continue the informal dialogue started in Tier One in a smaller group setting to allow for more detail pertaining to specific Class I Areas | Share information from Tier One with interested parties to keep everyone up-to-speed as progress is made and get local stakeholders engaged in the process. |
| **Lead(s)** | WESTAR/WRAP Subcommittees | S/L/T Regional Haze Leads & Staff | S/L/T Regional Haze Leads & Staff |
| **Audience** | Regional Haze staff from S/L/T, FLMs, EPA | Regional Haze staff from S/L/T, FLMs, EPA | Local stakeholders, including industrial sources, environmental groups, and interested members of the public |
| **How to be Successful** | SIP developers should distribute information about participating in the webinar to their contacts at other responsible agencies, inviting them to attend the webinar. Participation in these webinars helps ensure that, throughout the planning process, everyone is communicating from a common knowledge base. SIP developers should meet with their internal Regional Haze staff to take time to fully understand the pre-prepared questions as they apply to their particular agency or Class I Areas. This may involve reviewing monitoring data, testing potential source screening thresholds, or analyzing modeling results. Understanding how their agency’s Regional Haze planning may be affected by the different topics will give SIP developers a good background from which to identify potential concerns. | WRAP recommends that the follow-up communication occur shortly after a Tier One webinar so these conversations can build off of the information shared at that level and take advantage of the common knowledge base. Using the list of questions put together by the C&C Subcommittee will help SIP developers be prepared to discuss possible concerns or problem areas with their key contacts. Ideally, through these conversations, key parties will seek consensus where possible. SIP developers should document their outreach and save copies of communications or meeting agendas to include in their SIP documentation. | At this level, the key is ongoing timely engagement throughout the SIP development process. SIP developers should carefully consider which topics may be of interest to which stakeholders and determine what type of communication will be most helpful to share information, address questions, and/or build understanding. The C&C Subcommittee recommends that each state or local agency responsible for SIP development create a Regional Haze webpage or choose a consistent, easy-to-find location on an existing webpage at which to post Regional Haze information. The Subcommittee also recommends beginning to engage stakeholders early in the planning process and providing regular updates and opportunities for conversation throughout SIP development. Document the communication. |

## Schedule of Communication

This section outlines the steps and approximate timing of the collaboration process described above. To reiterate, this framework is intended to provide informal guidance and is non-binding. Parties to this framework should review the schedule in the context of other technical and policy efforts within the WRAP as well as their own planning and regulatory obligations. Given that state timelines for SIP development and submittal may vary somewhat across the West, the focus of these collaboration efforts may differ from state to state.

The timeline below builds from the sequence of key Regional Haze planning tasks necessary to submit a timely SIP. The planning tasks were assessed and outlined by the WRAP in the 2018-2019 Workplan, adopted in April 2018 and reevaluated semi-annually.[[3]](#footnote-3) The C&C Subcommittee reviewed the schedule of tasks in the Workplan and selected key junctures at which communication will be essential to a successful planning process. The timeline below incorporates informal (recommended) and formal (required) consultation and coordination leading up to SIP submittal by no later than July 2021.

**2018**

October Presentation on Development of the TSS v.2

December WRAP Technical Steering Committee Meeting

**2019**

Winter Tier 1 Activity: Presentation on Visibility Monitoring & Source Screening Protocol

Tier 2 Follow-Up, including engagement with EPA and FLM to build consensus around current visibility and expected/desired progress at Class I Areas

Tier 3 Activity: Develop informational webpage, begin outreach to potentially affected companies/industries to share monitoring analysis and prepare them for upcoming screening conversation

Spring Tier 1 Activity: Presentation on Baseline & Projected Inventory and Modeling Methods

Tier 2 Follow-Up, including engagement with EPA and FLM on screening steps and thresholds and potential sources for four-factor analysis

Tier 3 Activity: Begin regular stakeholder engagement on source screening and control measures

Summer Tier 1 Activity: Presentation on Four-Factor Analysis and Additional Monitoring Considerations

Tier 2 Follow-Up

Tier 3 Activity: Continue regular stakeholder engagement on source screening and control measures

Fall Tier 1 Activity: Presentation on Modeling Results

Tier 2 Follow-Up

Tier 3 Activity: Prepare to circulate draft control plans to stakeholders, host a call or meeting to discuss steps taken to date, process moving forward, proposed control measures, projected visibility improvement

**2020**

Ongoing Tier 3 Activity: Continue stakeholder engagement on draft control plan

Tier 2 Follow-Up, including seeking input and conversation on proposed control plan from EPA and FLM

Fall/Winter Initiate and document formal consultation with FLMs

2021

Winter Begin formal public comment period

Spring Respond to comments, revise plan as necessary

Summer Submit final SIP to EPA

[Include final Gantt chart, following any revisions to the task timeline by the TSC.]

# Appendices

## Appendix A – Outreach Guidance One-Pagers

The following pages provide brief overviews of the recommended outreach for each key agency involved in regional haze planning. Each one-page overview is a stand-alone document intended to help guide SIP developers in their outreach to key agency partners. Each page includes a list of discussion questions that may help guide internal conversations as well as outreach to external agencies. Guidance documents regarding the following key agencies are included:

* Local Air Agencies
* Neighboring States
* Tribes
* Federal Land Managers
* Environmental Protection Agency

#### Outreach Regarding Local Air Agencies

EPA guidance suggests states consider control measures analysis for 80 percent of the visibility-impairing anthropogenic emissions with a focus on NOx and SO2 sources. The WRAP recognizes that in some states, local air agencies may have authorities associated with measuring and reporting emissions, permitting sources of emissions, and/or other planning functions that impact emissions. For that reason, it is important that states consider whether collaboration with local air agencies will be necessary and, if so, at what level. The following questions may help states coordinate their outreach to local air agencies.

**Questions to Consider**

Describe the local permitting authority structure. What role do the local air agencies have in permitting sources?

What planning functions are done at a local air agency level? How are those coordinated with planning at the state level?

Do your local air agencies submit NEI data to the EPA or to the state?

Do your local air agencies submit local emissions calculations or do they use EPA’s default numbers?

Do your local air agencies help prepare emissions projections? If not, do they have the capacity?

Describe any plans your local air agencies have that may impact future emissions, directly or indirectly.

#### Outreach Regarding Neighboring States

The EPA requires states to establish reasonable progress goals for each Class I Area within the state and to consider impacts of emissions generated in the state on Class I Areas outside of the state. Because Class I Areas are sometimes located near or on the border between states, it is important that states communicate with each other about their strategies for achieving reasonable progress. In addition, because sources of emissions may be located near a state border or may travel long distances and have an impact on a Class I Area in a different state, states must communicate about control strategies. The following questions may help states coordinate their outreach to neighboring states.

**Questions to Consider**

Are any Class I Areas in your state potentially impacted by emissions from a neighboring state?

If so, which pollutants are the pollutants of concern at the Class I Area?

Will a reduction in emissions be necessary to achieve reasonable progress goals?

Can the necessary reduction be achieved by the sources in your state alone?

Are any large sources of emissions in your state located near the border?

If so, is it possible that emissions from the source are impacting Class I Areas on the other side of the border?

A quick qualitative analysis of local wind patterns and geography may help with this preliminary assessment and future conversations.

Do you know who is the point of contact on Regional Haze in your neighboring states? Do they know who you are?

At what step in the planning process are your neighboring states, and are you at the same step?

The C&C Subcommittee recommends that states begin an ongoing conversation with their neighbors specifically related to Regional Haze early in the planning process.

#### Outreach Regarding Tribes

[overview]

**Questions to Consider**

#### Outreach Regarding Federal Land Managers

[overview]

**Questions to Consider**

#### Outreach Regarding the Environmental Protection Agency

[overview]

**Questions to Consider**

## Appendix B – Sample Communication Log

The C&C Subcommittee recommends SIP developers document all consultation and coordination to include in their SIP submittals. The following communication log may be helpful in tracking communication on specific topics and the outcome of any associated conversations. The first line is provided as an example.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Date | Method | Entities Involved | Topic/Problem | Outcome | Notes/Links |
| *8/17/18* | *Meeting & Call* | *MT Clean Air Act Advisory Committee* | *Kick-off presentation on Regional Haze* | *Opened communication, provided point of contact* | *http://deq.mt.gov/Air/PublicEngagement/CAAAC* |
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## Appendix C – Consultation & Coordination Resources, Policies, and Procedures

This appendix provides a list of resources related to consultation and coordination, including existing policies and protocols amongst key agencies in the West. Where applicable, references to external documents are provided. These resources can also be found on the WRAP website at <https://www.wrapair2.org/RHP_ConsCo.aspx>.

#### Policies & Protocols for Consultation with Federal Land Managers

* Department of Interior Tribal Consultation Policy
  + <https://www.doi.gov/tribes/Tribal-Consultation-Policy>
* National Park Service Consultation
  + <https://www.nps.gov/history/howto/patoolkit/consult.htm>
* U.S. Fish and Wildlife Service: Tribal Consultation Handbook, February 2018
  + <https://www.fws.gov/TCG.pdf>
* U.S. Fish and Wildlife Service: Native American Programs
  + <https://www.fws.gov/nativeamerican/>
* U.S. Fish and Wildlife Service: Native American Policy, January 20, 2016
  + <https://www.fws.gov/nativeamerican/pdf/Policy-revised-2016.pdf>
* Bureau of Land Management, Tribal Consultation
  + <https://www.blm.gov/services/tribal-consultation>
* U.S. Forest Service, Tribal Relations
  + <https://www.fs.fed.us/spf/tribalrelations/>
  + <https://www.fs.fed.us/working-with-us/tribal-relations>

#### Policies & Protocols for Consultation and Coordination with Tribal Governments

Resources for better understanding Federal Agency consultation and coordination with Tribal Governments.

**EPA Headquarters Consultation Procedures**

* EPA Resources on Consultation and Coordination with Tribes
  + <https://www.epa.gov/tribal/forms/consultation-and-coordination-tribes>
* EPA Policy on Consultation and Coordination with Indian Tribes, May 4, 2011
  + <https://www.epa.gov/sites/production/files/2013-08/documents/cons-and-coord-with-indian-tribes-policy.pdf>
* EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights, February 2016
  + <https://www.epa.gov/sites/production/files/2016-02/documents/tribal_treaty_rights_guidance_for_discussing_tribal_treaty_rights.pdf>
* Executive Order 13175: Consultation and Coordination with Indian Tribal Governments, 65 FR 67249, November 9, 2000
  + <https://www.epa.gov/laws-regulations/summary-executive-order-13175-consultation-and-coordination-indian-tribal>
* EPA Tribal Consultation Implementation: Frequently Asked Questions, August 2016
  + <https://www.epa.gov/sites/production/files/2016-08/documents/tribal_consultation_implementation_faqs.pdf>
* EPA Tribal Consultation at a Glance (infographic)
  + <https://www.epa.gov/sites/production/files/2016-01/documents/epa_tribal_consultation_at_a_glance_infographic.pdf>

**EPA Regional Office Consultation Procedures**

* EPA Regional Office Consultation Procedures
  + <https://www.epa.gov/tribal/regional-and-headquarters-office-consultation-procedures>
* EPA Region 10 Tribal Consultation Website
  + <https://www.epa.gov/tribal/region-10-tribal-programs#consultation>
* EPA Region 10 Tribal Consultation Procedures, EPA 910-K-12-002, October 2012
  + <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100FFEY.txt>
* EPA Region 9 Tribal Consultation Website
  + <https://www.epa.gov/tribal/region-9-tribal-program#consultation>
* EPA Region 9 Approach to Consultation with Tribal Governments Regarding Non-Enforcement Related Matters, April 2012
  + <https://www.epa.gov/sites/production/files/2015-09/documents/consultation-approach-final.pdf>
* EPA Region 8 Tribal Consultation Website
  + <https://www.epa.gov/tribal/region-8-tribal-program#consultation>
* EPA Region 8 Consultation Policy: EPA Policy on Consultation and Coordination with Indian Tribes, May 4, 2011
  + <https://www.epa.gov/sites/production/files/2013-08/documents/cons-and-coord-with-indian-tribes-policy.pdf>
* EPA Region 8 Indian Country Environmental Protection Policy, March 14, 1996
  + <https://www.epa.gov/sites/production/files/2018-04/documents/1996_r8_indian_country_environmental_protection_policy.pdf>
* EPA Region 6 Tribal Consultation Website
  + <https://www.epa.gov/tribal/region-6-tribal-program#consultation>
* EPA Region 6 Tribal Consultation and Coordination Procedures
  + <https://www.epa.gov/tribal/tribal-consultation-and-coordination-procedures-epa-region-6>
* EPA Region 6 Consultation and Coordination with Federally Recognized Indian Tribes, May 2015
  + <https://www.epa.gov/sites/production/files/2015-08/documents/r6_epa_tribal_consultation_procedures_final.pdf>

#### Policies & Protocols for Consultation with EPA

* EPA Regional Haze Resources
  + <https://www.epa.gov/visibility>

#### Policies & Protocols for Consultation between States

In this section, you will find additional resources that may be helpful for States or Local Air Agencies seeking to understand their responsibilities related to consultation and coordination in the SIP development process.

**WESTAR States**

* WRAP Policy and Guidance Documents
  + <https://www.wrapair2.org/About.aspx>
* Udall Foundation – Collaboration, Consensus-Building, Conflict Resolution
  + <https://udall.gov/OurPrograms/Institute/Institute.aspx>
* Alaska DEC
  + <http://dec.alaska.gov/air/anpms/regional-haze/>
* Arizona DEQ
  + <http://www.azdeq.gov/RegionalHaze>
* California ARB
  + <https://www.arb.ca.gov/planning/reghaze/reghaze.htm>
* City of Albuquerque
  + <https://www.cabq.gov/airquality>
* Colorado DPHE
  + <https://www.colorado.gov/pacific/cdphe/regional-haze>
* Hawaii DOH
  + <http://health.hawaii.gov/cab/>
* Idaho DEQ
  + <http://www.deq.idaho.gov/air-quality/air-pollutants/haze/>
* Montana DEQ
  + <http://deq.mt.gov/Air/AQ/RegionalHaze>
* Nevada DEP
  + <https://ndep.nv.gov/air/planning-and-modeling/regional-haze-and-bart>
* New Mexico AQB
  + <https://www.env.nm.gov/air-quality/reg-haze/>
* North Dakota DOH
  + <https://deq.nd.gov/AQ/planning/RegHaze.aspx>
* Oregon DEQ
  + <https://www.oregon.gov/deq/aq/Pages/Haze.aspx>
* South Dakota DENR
  + <http://denr.sd.gov/des/aq/aqnews/RegionalHaze.aspx>
* Utah DEQ
  + <https://deq.utah.gov/legacy/pollutants/r/regional-haze/index.htm>
* Washington DOE
  + <https://ecology.wa.gov/Air-Climate/Air-quality/Air-quality-targets/Regional-haze>
* Wyoming DEQ
  + <http://deq.wyoming.gov/aqd/>

**Non-WESTAR States**

* Lake Michigan Air Directors Consortium (LADCO)
  + <https://www.ladco.org/>
  + Minnesota Pollution Control Agency
    - <https://www.pca.state.mn.us/air/regional-haze>
* Central States Air Resource Agencies (CenSARA)
  + <http://censara.org/>
  + Iowa Department of Natural Resources
    - <https://www.iowadnr.gov/Environmental-Protection/Air-Quality>
  + Kansas Department of Health and Environment
    - <http://www.kdheks.gov/bar/index.html>
  + Missouri Department of Natural Resources
    - <https://dnr.mo.gov/env/apcp/index.html>
  + Nebraska Department of Environmental Quality
    - http://deq.ne.gov/NDEQProg.nsf/OnWeb/Haze
  + Oklahoma Department of Environmental Quality
    - <http://deq.state.ok.us/aqdnew/RulesAndPlanning/index.htm>
  + Texas Commission on Environmental Quality
    - <https://www.tceq.texas.gov/airquality/sip/bart>

#### Policies & Protocols for Consultation across International Borders

* Canada
* Mexico
* Other
* US Federal Government Obligations

1. As revised by the Environmental Protection Agency on January 10, 2017 (82 Fed. Reg. 3078). [↑](#footnote-ref-1)
2. Western Regional Air Partnership (WRAP), “Regional Haze Principles of Engagement,” adopted on April 4, 2018, <https://www.wrapair2.org/About.aspx>. [↑](#footnote-ref-2)
3. WRAP, “2018-2019 WRAP Workplan,” adopted on April 4, 2018, <https://www.wrapair2.org/About.aspx>. [↑](#footnote-ref-3)